

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IAN L. LAND,

Plaintiff,

Case No.: 22-cv-12672

Hon. Matthew F. Leitman

-vs-

~~CITY OF DETROIT, a municipal~~
~~corporation~~; RYAN RULOFF, individually
and in his official capacity; and MATTHEW
WEBB, individually and in his official
capacity

Defendants.

Ivan L. Land (P65879)
Law Offices of Ivan L. Land, P.C.
Attorney for Plaintiffs
25900 Greenfield Rd., Ste. 210
Oak Park, MI 48237-1267
(248) 968-4545

Philip J. Hiltner (P77913)
Sarah V. Domin (P79128)
City of Detroit Law Department
Attorneys for Defendants
2 Woodward Ave., Ste. 500
Detroit, MI 48226
(313) 237-6390

**MOTION IN LIMINE TO EXCLUDE ARGUMENT REGARDING THE
VALUE OR IMPORTANCE OF CONSTITUTIONAL RIGHTS**

NOW COME Defendants, Ryan Ruloff and Matthew Webb, by and through counsel, and submit the following Motion in Limine to Preclude Arguments Regarding the Value or Importance of Constitutional Rights.

1. This case arises out of Plaintiff's arrest for illegally carrying a concealed weapon. Plaintiff has made claims of excessive force, unlawful search and

seizure, malicious prosecution, and civil conspiracy against the defendant police officers.

2. Defendants anticipate that Plaintiff may attempt to seek damages based on an argument regarding the value or importance of constitutional rights.

3. A plaintiff may only recover actual damages under § 1983.

4. “[T]he abstract value of a constitutional right may not form the basis for § 1983 damages.” *Memphis Cmty. Sch. Dist. v. Stachura*, 477 U.S. 299, 308 (1986).

WHEREFORE, Defendants respectfully request that this Honorable Court grant this motion and preclude Plaintiff from introducing any argument regarding the value or importance of constitutional rights and seeking damages for same.

Respectfully submitted,

/s/ Sarah V. Domin

Sarah V. Domin (P79128)

Senior Assistant Corporation Counsel

City of Detroit Law Department

Date: June 13, 2025

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BRIEF IN SUPPORT OF MOTION IN LIMINE TO EXCLUDE
ARGUMENT REGARDING THE VALUE OR IMPORTANCE OF
CONSTITUTIONAL RIGHTS

TABLE OF CONTENTS

TABLE OF CONTENTS.....	Error! Bookmark not defined.
TABLE OF AUTHORITIES	ii
Issue Presented.....	iii
LAW AND ANALYSIS	1

TABLE OF AUTHORITIES

Cases

<i>Memphis Cmty. Sch. Dist. v. Stachura</i> , 477 U.S. 299 (1986)	1
<i>Pegg v. Herrnberger</i> , No. 5:13CV173, 2016 WL 7033171 (N.D.W. Va. Dec. 1, 2016).....	1

Issue Presented

1. Should Plaintiff be prohibited from seeking abstract damages based on arguments regarding the value or importance of constitutional rights?

DEFENDANTS ANSWER “YES”

LAW AND ANALYSIS

Plaintiff should be precluded from asserting an amount of damages based on the value or importance of the constitutional rights at stake in this civil action. “[T]he basic purpose of § 1983 damages is to compensate persons for injuries that are caused by the deprivation of constitutional rights.”¹ “[T]he abstract value of a constitutional right may not form the basis for § 1983 damages.”² However, “compensatory damages may include not only out-of-pocket loss and other monetary harms, but also such injuries as impairment of reputation ..., personal humiliation, and mental anguish and suffering.”³

Thus, a plaintiff may recover only actual damages under § 1983. To the extent that the plaintiff seeks to assert damages based on the importance of the constitutional rights at stake, any such evidence is irrelevant and any probative value is substantially outweighed by the risk of unfair prejudice because it asks the jury to make a determination of damages outside of those that may be recovered.⁴

¹ *Memphis Cmty. Sch. Dist. v. Stachura*, 477 U.S. 299, 307 (1986) [internal quotation marks omitted].

² *Id.* at 308.

³ *Id.* at 307 (internal quotation marks omitted).

⁴ *Pegg v. Herrnberger*, No. 5:13CV173, 2016 WL 7033171, at *1 (N.D.W. Va. Dec. 1, 2016).

Therefore, Defendants respectfully request that this Honorable Court grant this motion and preclude Plaintiff from introducing any argument regarding the value or importance of constitutional rights and seeking damages for same.

Respectfully submitted,

/s/ Sarah V. Domin

Sarah V. Domin (P79128)

Senior Assistant Corporation Counsel

City of Detroit Law Department

Date: June 13, 2025

LOCAL RULE 7.1 COMPLIANCE STATEMENT

Prior to the filing of this motion, Defendants sought concurrence from Plaintiff's counsel. Concurrence was not obtained.

Respectfully submitted,

/s/ Sarah V. Domin

Sarah V. Domin (P79128)

Senior Assistant Corporation Counsel
City of Detroit Law Department

Date: June 13, 2025

Certificate of Service

I hereby certify that on **June 13, 2025**, I electronically filed the foregoing papers with the Court Clerk using the ECF system, which will send notice to counsel of record.

/s/ Sarah V. Domin